

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Hickey et al.

Group Art Unit: Not Assigned

For: MODAFINIL COMPOSITIONS

Examiner: Not Assigned

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a



Utility Patent



Design Patent

is sought on the invention, whose title appears above, the specification of which:



is attached hereto.



was filed on _____ as Serial No. _____.



said application having been amended on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to the patentability of this application in accordance with 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a-d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of any application on which priority is claimed if X'd:

Priority

Country

Serial Number

Date Filed



PCT

PCT/US05/02782

February 1, 2005



PCT

PCT/US04/29013

September 4, 2004

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Serial Number	Date Filed	Patented/Pending/Abandoned
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Serial Number	Date Filed
<u>60/542,752</u>	<u>February 6, 2004</u>
<u>60/560,411</u>	<u>April 6, 2004</u>
<u>60/573,412</u>	<u>May 21, 2004</u>
<u>60/579,176</u>	<u>June 12, 2004</u>
<u>60/581,992</u>	<u>June 22, 2004</u>
<u>60/586,752</u>	<u>July 9, 2004</u>
<u>60/588,236</u>	<u>July 15, 2004</u>
<u>60/631,786</u>	<u>November 30, 2004</u>

I hereby appoint all the practitioners associated with Customer Number 27573 (which is the Customer Number assigned to Cephalon, Inc.) to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith. Each practitioner associated with Customer Number 27573 is an attorney registered before the United States Patent and Trademark Office.


Address all telephone calls and correspondence to:

Robert T. Hrubiec
CEPHALON, INC.
 145 Brandywine Parkway
 West Chester, PA 19380
 Telephone No.: (610) 738-6356
 Facsimile No.: (610) 738-6590


I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: Magali Bourghol Hickey	<u>Magali B. Hickey</u> Signature
Mailing Address: 342 Malden Street Medford, MA 02155	Date of Signature: <u>1/25/2006</u>
City/State of Actual Residence: Medford, Massachusetts	Citizenship: United States of America


I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: Matthew Peterson	
Mailing Address: 25 Downey Street Hopkinton, MA 01748	Signature Date of Signature: 20-January-2006
City/State of Actual Residence: Hopkinton, Massachusetts	Citizenship: United States of America

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: Orn Almarsson	
Mailing Address: 22 Farmington Drive Shrewsbury, MA 01545	Signature Date of Signature: 23. JANUARY 2006
City/State of Actual Residence: Shrewsbury, Massachusetts	Citizenship: Iceland

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: Mark Oliveira	 Signature
Mailing Address: 69 Nicholas Road, Apt. J. Framingham, MA 01704	Date of Signature: 1/20/06
City/State of Actual Residence: Framingham, Massachusetts	Citizenship: United States of America